
TITLE 326 AIR POLLUTION CONTROL DIVISION

SECOND NOTICE OF COMMENT PERIOD

LSA Document #19-82

VERTELLUS EMISSION LIMITS UPDATE

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on amendments to rules at [326 IAC 6.5-6-31](#), concerning revisions to the particulate matter (PM) emission limits requested by Vertellus Integrated Pyridines, LLC (Vertellus). IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

HISTORY

First Notice of Comment Period: February 13, 2019, Indiana Register (DIN: [20190213-IR-326190082FNA](#)).

CITATIONS AFFECTED: [326 IAC 6.5-6-31](#).

AUTHORITY: [IC 13-14-8](#); [IC 13-17-3-1](#); [IC 13-17-3-4](#).

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Basic Purpose and Background

Vertellus, a chemical manufacturing company in Indianapolis, Indiana, submitted a letter to IDEM requesting revisions to its particulate matter (PM) emission limits listed in [326 IAC 6.5-6-31](#). These revisions remove units that are no longer operating or have been demolished at the facility, make changes to PM limits on other units impacted by the United States Environmental Protection Agency's (U.S. EPA) recently adopted sulfur dioxide (SO₂) limits at [326 IAC 7-4-2.1\(a\)\(4\)](#), update existing language, and add new language pertaining to the types of gases burned in certain units.

The 2010 1-hour SO₂ limits were incorporated into Indiana's State Implementation Plan (SIP) on January 1, 2017, as a result of U.S. EPA's nonattainment designation based on Marion County's 1-hour SO₂ monitoring data. This data was measured from 2010 through 2012, and was found to exceed the 1-hour National Ambient Air Quality Standard (NAAQS) of 75 parts per billion. Consequently, SO₂ SIP emission limits were revised for all sources listed in the Marion County SO₂ SIP at [326 IAC 7-4-2.1](#), in order to demonstrate attainment of the new 1-hour SO₂ standard.

Previously, petroleum oil was burned at several Vertellus units, which helped contribute to monitored violations of the 1-hour SO₂ standard in Marion County. These units have since switched to burning natural gas, which reduces SO₂ emissions and allows Vertellus to remain in compliance with its revised SO₂ limits to ensure continued attainment of the 1-hour SO₂ standard. Revisions to the PM emission limits at [326 IAC 6.5-6-31](#) are needed for consistency with the process changes that Vertellus must make to comply with the new SO₂ standards.

Additionally, language is being added at [326 IAC 6.5-6-31\(b\)\(2\)](#) to indicate that certain units burn both natural and landfill gases. Increases in several emission limits shown in the chart represent adjustments in the potential amount of natural gas a unit can burn rather than the actual amount of gas burned, and modeling has shown no increased emission concentrations at the modeled receptors. Vertellus anticipates that switching from petroleum fuels to natural gas, as well as reducing the amount of landfill gas burned, will result in an emissions decrease of 14.1 tons per year as compared to the amount currently listed in Indiana's SIP, and allow the area to demonstrate attainment of U.S. EPA's NAAQS. Once the revisions in this rulemaking are completed, IDEM will submit the final rule to U.S. EPA as a SIP revision.

IDEM seeks comment on the affected citations listed, including suggestions for specific language, any other provisions of Title 326 that may be affected by this rulemaking, and alternative ways to achieve the purpose of the rulemaking.

[IC 13-14-9-4](#) Identification of Restrictions and Requirements Not Imposed under Federal Law

No element of the draft rule imposes either a restriction or a requirement on persons to whom the draft rule applies that is not imposed under federal law.

Potential Fiscal Impact

This rulemaking will have a positive fiscal impact for Vertellus, because the revisions to the PM emission limits for its equipment will allow Vertellus to comply with recently revised SO₂ limits. Making no changes to [326 IAC 6.5-6-31](#) may result in greater SO₂ emissions and potentially contribute to a nonattainment designation in the area.

Public Participation and Work Group Information

At this time, no work group is planned for the rulemaking. If you feel that a work group or other informal

discussion on the rule is appropriate, please contact Keelyn Walsh, Rules Development Branch, Office of Legal Counsel at (317) 232-8229 or (800) 451-6027 (in Indiana).

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST COMMENT PERIOD

IDEM requested public comment from February 13, 2019, through March 15, 2019, on alternative ways to achieve the purpose of the rule and suggestions for the development of draft rule language. IDEM received no comments in response to the First Notice of Comment Period.

REQUEST FOR PUBLIC COMMENTS

This notice requests the submission of comments on the draft rule language, including suggestions for specific revisions to language to be contained in the draft rule. Comments may be submitted in one of the following ways:

- (1) By mail or common carrier to the following address:

LSA Document #19-82 Vertellus Emission Limits Update
Keelyn Walsh
Rules Development Branch
Office of Legal Counsel
Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Avenue
Indianapolis, IN 46204-2251

- (2) By facsimile to (317) 233-5970. Please confirm the timely receipt of faxed comments by calling the Rules Development Branch at (317) 232-8922.

- (3) By electronic mail to kwash@idem.in.gov. To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the address indicated in this notice.**

- (4) Hand delivered to the receptionist on duty at the thirteenth floor reception desk, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana.

Regardless of the delivery method used, to properly identify each comment with the rulemaking action it is intended to address, each comment document must clearly specify the LSA document number of the rulemaking.

COMMENT PERIOD DEADLINE

All comments must be postmarked, faxed, or time stamped not later than March 13, 2020. Hand-delivered comments must be delivered to the appropriate office by 4:45 p.m. on the above-listed deadline date.

Additional information regarding this action may be obtained from Keelyn Walsh, Rules Development Branch, Office of Legal Counsel, (317) 232-8229 or (800) 451-6027 (in Indiana).

DRAFT RULE

SECTION 1. [326 IAC 6.5-6-31](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 6.5-6-31](#) Vertellus Agriculture & Nutrition Specialties LLC

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 31. (a) Vertellus Agriculture & Nutrition Specialties LLC in Marion County shall meet the following emission limits:

Source	NEDS Plant ID	Source ID No.	Point Input ID	Process	Emission Limits	
					tons/yr	lbs/million Btu
Vertellus Agriculture & Nutrition Specialties LLC		00049	01	186N		.15
			02	2722 W		.15
			03	2726 S		.15
				186 N, 2722 W, and 2726 S	12.2 total	
100% natural gas			04	2728 S	2.2 0.3	.15 0.011
			05	2607 T		
			06	2714 V	3.4 0.7	.15 0.011
			07	2707 V	.4 0.7	.011

	08	2724 W	4.0 0.8	15 0.011
100% natural gas	09	702611		
	10	722804	2 0.3	.011
	11	732714	2.7 1.5	0.011
	12	2706 Q	1 0.3	.011
100% natural gas	13	2713 W		
100% natural gas	14	2714 W		
	18	2729 Q	1 0.2	.011
	20	2740 Q	2.0 0.4	15 0.011

(b) In addition to complying with subsection (a), Vertellus Agriculture & Nutrition Specialties LLC shall comply with the following:

(1) Processes 2607 T, 702611, 2713 W, and 2714 W at Vertellus Agriculture & Nutrition Specialties LLC Boiler CB-70K, CS Kettle Born Heater, and CS Still Born Heater identified in subsection (a) as one hundred percent (100%) natural gas burners shall in [326 IAC 7-4-2.1\(a\)\(4\)](#) must burn only natural gas.

(2) Processes CB20 CB600-300 Boiler and 50K CN5-400 Boiler:

(A) are subject to [326 IAC 6.5-1-2\(b\)\(3\)](#); and

(B) must only burn natural gas or landfill gas.

(2) (3) Maintain monthly fuel usage records for processes 186 N, 2722 W, and 2726 S that contain sufficient information to estimate emissions including the following:

(A) Boiler identification.

(B) Fuel usage for each type of fuel.

(C) Heat content of fuel.

(D) Emission factor used to calculate emissions.

(3) (4) Within thirty (30) days of the end of each calendar quarter, submit a written report to the department and the Indianapolis office of environmental services division of **containing** the monthly emissions for each of the previous twelve (12) months for boilers 186 N, 2722 W, and 2726 S, including the information in subdivision (2)- (3).

(4) (5) Compliance with the annual tons per year limitation shall **must** be based on the sum of the monthly emissions for each twelve (12) month period.

(5) (6) The fuel usage records shall **must** be:

(A) maintained at the source for three (3) years; and

(B) available for an additional two (2) years; **and**

The records shall be (C) made available to the department or its designated representative upon request.

(Air Pollution Control Division; [326 IAC 6.5-6-31](#); filed Aug 10, 2005, 1:00 p.m.: 28 IR 3482; filed Jan 23, 2008, 1:44 p.m.: [20080220-IR-326040279FRA](#))

[Notice of Public Hearing](#)

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An [html](#) version of this document.